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Jfw

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PATENT DEPARTMENT

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CHICAGO, ILLINOIS 60606

IN APPLICATION OF:

Hans Strandberg

CONFIRMATION NO. 8338

SERIAL NO.:

10/031,757

GROUP ART UNIT: 3762

FILED:

January 17, 2002

EXAMINER: C. H. Layno

TITLE:

"PACEMAKER THAT IS SWITCHABLE BETWEEN OPERATION IN A TRACKING MODE AND IN A NON-TRACKING MODE"

APPLICANT'S RESPONSE TO THE JUNE 8, 2004 OFFICE ACTION

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

SIR:

Transmitted herewith is an amendment in the above-identified application.

☐ No additional fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS	*13	MINUS	**20	X	() X 9.00 () X 18.00	
INDEP. CLAIMS	*1	MINUS	3	X	() X 43.00 () X 86.00	
Application amended to contain any multiple dependent claims not previously paid for.				() YES () NO	() \$145.00 () \$290.00 ONE TIME	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20 write "20" in this space.

☐ Applicants petition the Commissioner of Patents and Trademarks to extend this time for response to the Office Action dated _____ for _____ months so that the period for response is extended to _____. A check in the amount of \$_____ is attached to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to deposit account No. 501519. A duplicate copy of this sheet is enclosed.

☐ A check in the amount of \$_____ is attached.

☐ A check for \$_____ accompanying IDS under 37 CFR 1.97(c) is attached

☐ A check for \$_____ and Petition for Consideration of IDS under 37 CFR 1.97(d) is attached.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519. A duplicate of this sheet is enclosed.

When phoning re this application, please call (312) 258-5500.

SCHIFF, HARDIN LLP (Customer Number: 26574)

Patent Department

BY Steven H. Noll (28,982)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on September 7, 2004

Steven H. Noll

NAME OF APPLICANT'S ATTORNEY

SIGNATURE

September 7, 2004

DATE



BOX PCT
IN THE UNITED STATES DESIGNATED OFFICE
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UNDER THE PATENT COOPERATION TREATY-CHAPTER II

5 **APPLICANT'S RESPONSE TO THE JUNE 8, 2004 OFFICE ACTION**

APPLICANT: Hans Strandberg CONFIRMATION NO. 8338
SERIAL NO.: 10/031,757 GROUP ART UNIT: 3762
FILED: January 17, 2002 EXAMINER: C. H. Layno
10 TITLE: "PACEMAKER THAT IS SWITCHABLE BETWEEN
OPERATION IN A TRACKING MODE AND IN A NON-
TRACKING MODE"

ATTN: MAIL STOP NON-FEE AMENDMENT

Commissioner for Patents
P.O. Box 1450
15 Alexandria, Virginia 22313-1450

Sir:

Applicant and his counsel have carefully reviewed the Office Action dated June 8, 2004, but believe the claims in their present form are patentable over the teachings of the reference relied upon by the Examiner.
20 Reconsideration of the application in view of the following arguments in support of patentability is therefore respectfully requested.

REMARKS:

In the Office Action dated June 8, 2004, claims 12, 15 and 19 were rejected under 35 U.S.C. §102(b) as being anticipated by Peterson et al.
25 Claims 13, 14, 16-18 and 20-24 were stated to be allowable if rewritten in independent form. The above rejection of claims 12, 15 and 19, however, is respectfully traversed, and therefore those dependent claims have been retained in dependent form at this time.

In substantiating the aforementioned rejection, the Examiner cited the
30 use in the Peterson et al. reference of an "AF/AT Evidence Counter," which